

ATTACHMENT 13

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 CISCO SYSTEMS, INC.,

5 Plaintiff,

6 vs.

7 ARISTA NETWORKS, INC.,

Case No.

8 Defendant.

5:14-cv-5344-BLF

9 _____
10
11
12 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

13 SUBJECT TO PROTECTIVE ORDER

14
15 VIDEOTAPED DEPOSITION OF ADAM SWEENEY,

16 VOLUME I

17
18 January 29, 2016

19 9:32 a.m. - 6:48 p.m.

20
21 555 Twin Dolphin Drive, 5th Floor

22 Redwood Shores, California

23 REPORTED BY:

24 James Beasley

25 CSR No. 12807, CCR No. 835, RPR

January 29, 2016

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<p style="text-align: right;">Page 94</p> <p>1 design specs for their products.</p> <p>2 Q. Anything else?</p> <p>3 A. Those are the main things I can think of.</p> <p>4 Q. Were you given access to confidential</p> <p>5 roadmaps of product lines while you were employed by</p> <p>6 Cisco?</p> <p>7 A. Probably.</p> <p>8 MR. FERRALL: Objection. Compound.</p> <p>9 You can answer.</p> <p>10 THE WITNESS: I probably had access to the</p> <p>11 roadmaps for my own business unit's products and</p> <p>12 maybe high level descriptions for those related to</p> <p>13 business units.</p> <p>14 BY MR. PAK:</p> <p>15 Q. And what are roadmaps?</p> <p>16 A. A roadmap is generally a plan.</p> <p>17 Q. A plan for what in this context?</p> <p>18 A. It would usually be a plan for products</p> <p>19 you're planning to build.</p> <p>20 Q. And you understood as an employee of Cisco</p> <p>21 that product roadmaps within Cisco were confidential</p> <p>22 information owned by Cisco; you knew that, right?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Highly sensitive information in</p> <p>25 terms of what you were trying to build for the</p>	<p style="text-align: right;">Page 96</p> <p>1 things are not done yet and they may change.</p> <p>2 Q. Do you consider Cisco to be a competitor</p> <p>3 of Arista in the Ethernet switching market?</p> <p>4 A. Yes.</p> <p>5 Q. As the VP of software engineering, would</p> <p>6 you feel comfortable sharing your software feature</p> <p>7 roadmap for Arista's future products with employees</p> <p>8 of Cisco?</p> <p>9 A. No.</p> <p>10 Q. Why not?</p> <p>11 A. We compete with Cisco; we don't need them</p> <p>12 to know what our plans are before they become</p> <p>13 public.</p> <p>14 Q. Why is that important to your business,</p> <p>15 that you keep confidential roadmaps for software</p> <p>16 features away from the hands of competitors like</p> <p>17 Cisco?</p> <p>18 A. It prevents them from preparing for the</p> <p>19 arrival of those features.</p> <p>20 Q. We've talked about some confidential</p> <p>21 information of Arista on the record today, correct?</p> <p>22 A. I think so.</p> <p>23 Q. Can you think of anything that we've</p> <p>24 discussed so far that's truly confidential to</p> <p>25 Arista?</p>
<p style="text-align: right;">Page 95</p> <p>1 future, correct?</p> <p>2 A. Sometimes.</p> <p>3 Q. And within Arista you also are given</p> <p>4 access to confidential, sensitive roadmaps for</p> <p>5 future products in Arista, correct?</p> <p>6 A. Yes.</p> <p>7 Q. And you consider that to be confidential</p> <p>8 to Arista and act accordingly, true?</p> <p>9 A. Yes.</p> <p>10 Q. You would not want confidential roadmaps</p> <p>11 of Arista to be shared with Arista's competitors,</p> <p>12 would you?</p> <p>13 A. Again, it depends on the roadmap, the</p> <p>14 timing of it, what's in it. Sometimes these things</p> <p>15 become public over time.</p> <p>16 Q. But you are certainly aware of</p> <p>17 confidential roadmaps of Arista that have not been</p> <p>18 shared, to your knowledge, with competitors of</p> <p>19 Arista, correct?</p> <p>20 A. I can think of at least one.</p> <p>21 Q. Okay. What is that one that you are</p> <p>22 thinking of?</p> <p>23 A. Would be our software features roadmap.</p> <p>24 Q. And why is that confidential to Arista?</p> <p>25 A. Certainly one reason is because these</p>	<p style="text-align: right;">Page 97</p> <p>1 MR. FERRALL: Objection. Vague and</p> <p>2 ambiguous.</p> <p>3 THE WITNESS: Actually, I'm sorry, I'm not</p> <p>4 sure. It's hard for me to remember every little</p> <p>5 thing we've talked about.</p> <p>6 MR. PAK: What I'm going to now do is put</p> <p>7 that manual to work. So I am going to introduce my</p> <p>8 next exhibit, Exhibit 120.</p> <p>9 THE WITNESS: Okay.</p> <p>10 (Sweeney Exhibit 120 was marked for</p> <p>11 identification and attached to the</p> <p>12 transcript.)</p> <p>13 (Off-the-record discussion.)</p> <p>14 BY MR. PAK:</p> <p>15 Q. Mr. Sweeney, I've labeled as Exhibit 120 a</p> <p>16 document that was filed as part of this case, and</p> <p>17 it's a document with the Docket number 64-1, which</p> <p>18 was filed on July 23rd, 2015.</p> <p>19 What I'm going to ask you to do,</p> <p>20 Mr. Sweeney, is take whatever time you need to go</p> <p>21 through these commands that are identified here.</p> <p>22 A. Okay.</p> <p>23 Q. And you can check the manual, the user</p> <p>24 manual, which is Exhibit 119, and at the end of your</p> <p>25 review I would like to have you confirm that each of</p>

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<p style="text-align: right;">Page 98</p> <p>1 the commands that have been identified as part of</p> <p>2 this Exhibit 120 is, in fact, implemented as part of</p> <p>3 Arista's CLI commands.</p> <p>4 Can you do that for me?</p> <p>5 A. The whole list?</p> <p>6 Q. Yes.</p> <p>7 A. That's --</p> <p>8 MR. FERRALL: Are you asking him one</p> <p>9 question to answer or are you going to -- I'm not</p> <p>10 sure. I mean, if you want to -- obviously you can</p> <p>11 do it however you want, but...</p> <p>12 MR. PAK: Counsel, I'm going to just -- so</p> <p>13 I think my instruction is pretty clear.</p> <p>14 Q. I'm going to ask you to review this list,</p> <p>15 I want you, if you need it, to compare it to the</p> <p>16 list of commands that are described in Exhibit 119,</p> <p>17 which is the user manual for the Arista CLI.</p> <p>18 And at the end of the review I'm going to</p> <p>19 ask you to confirm on the record that all of the CLI</p> <p>20 commands that appear in Exhibit 120 has, in fact,</p> <p>21 been implemented by Arista as part of its CLI.</p> <p>22 Do you understand?</p> <p>23 A. I do.</p> <p>24 Q. Okay. So please go ahead and take</p> <p>25 whatever time you need to do that for me.</p>	<p style="text-align: right;">Page 100</p> <p>1 And please feel free to review Exhibit 119</p> <p>2 in answering that question.</p> <p>3 MR. FERRALL: Objection. Compound. Vague</p> <p>4 and ambiguous.</p> <p>5 THE WITNESS: So --</p> <p>6 MR. FERRALL: Why don't you --</p> <p>7 THE WITNESS: -- the only way I feel I</p> <p>8 could actually answer that is to go through every</p> <p>9 one of them.</p> <p>10 MR. PAK: Please do.</p> <p>11 MR. FERRALL: I think that's what he's</p> <p>12 asking you to do.</p> <p>13 MR. PAK: And there's a table of contents</p> <p>14 in Exhibit 119, if it's helpful.</p> <p>15 But please go ahead and do that.</p> <p>16 THE WITNESS: All righty.</p> <p>17 No. I would say the answer is no.</p> <p>18 BY MR. PAK:</p> <p>19 Q. Okay. Can you identify for me which</p> <p>20 command you believe has not been implemented by</p> <p>21 Arista CLI?</p> <p>22 A. I would say that there is no command that</p> <p>23 consists of just the two words "aaa" followed by</p> <p>24 "accounting."</p> <p>25 Q. Okay. And let's take a look at, what is</p>
<p style="text-align: right;">Page 99</p> <p>1 MR. FERRALL: When -- when should we tell</p> <p>2 you when -- what should Mr. Sweeney be able to say</p> <p>3 when he's done with this review session?</p> <p>4 MR. PAK: I'm confused.</p> <p>5 MR. FERRALL: Well, I'm confused because</p> <p>6 if you're going to -- if you want to pose the</p> <p>7 question here that he's going to answer, then at the</p> <p>8 end then I -- I guess we could do that.</p> <p>9 It sounds like it's a massively compound</p> <p>10 question, but I guess that's up to you to pose it.</p> <p>11 Or we can just take some time and then he can start</p> <p>12 looking through these materials. Is that what you</p> <p>13 want him to do?</p> <p>14 MR. PAK: Let me ask it and then you</p> <p>15 can --</p> <p>16 Q. So I'm just going to -- I've explained to</p> <p>17 you what I would like you to do. Do you understand</p> <p>18 what I've asked you to do, Mr. Sweeney?</p> <p>19 A. I think so.</p> <p>20 Q. Okay. So let me ask you my question so</p> <p>21 your attorney can make an objection, if he would</p> <p>22 like.</p> <p>23 Mr. Sweeney, is it true that all of the</p> <p>24 commands that are identified in Exhibit 120 has been</p> <p>25 implemented in the Arista CLI interface?</p>	<p style="text-align: right;">Page 101</p> <p>1 the command syntax for the command that you're</p> <p>2 looking at right now? Can you identify the page</p> <p>3 number?</p> <p>4 A. I'm looking at Page 205.</p> <p>5 Q. Okay. And what --</p> <p>6 A. Bates 16205.</p> <p>7 Q. Okay. And what's the command syntax for</p> <p>8 that command?</p> <p>9 A. There's an "accept" command. It has a</p> <p>10 variable number of incarnations. But it's "aaa,"</p> <p>11 followed by "accounting," followed by a type</p> <p>12 specifier followed by a connection specifier</p> <p>13 specified by a mode, followed by a mode, followed by</p> <p>14 a series -- you know, one or more methods.</p> <p>15 Q. Okay. So I'm going to ask you this</p> <p>16 question, then, we'll do it one command at a time</p> <p>17 now, and then I'll ask you to do this.</p> <p>18 A. Okay.</p> <p>19 Q. Can you confirm for me that the command</p> <p>20 "aaa accounting" that is described on Page 205 of</p> <p>21 Exhibit 119 contains the multiple words</p> <p>22 "aaa accounting"?</p> <p>23 A. Yes, it does.</p> <p>24 Q. And, in fact, at the very top it says:</p> <p>25 "aaa accounting," as the title for that particular</p>

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<p style="text-align: right;">Page 102</p> <p>1 command?</p> <p>2 A. That is a prefix for this command, yes.</p> <p>3 Q. Okay. Let's turn to the next one, which</p> <p>4 is on the next page, Page 206. Can you confirm that</p> <p>5 "aaa accounting dot1x is present in the command</p> <p>6 "aaa accounting dot1x" from Arista CLI?</p> <p>7 A. No, it's not.</p> <p>8 Q. Can you confirm that the words</p> <p>9 "aaa accounting dot1x" in combination appears in the</p> <p>10 command "aaa accounting dot1x" in Arista CLI?</p> <p>11 A. No.</p> <p>12 Q. At the very top, the command says:</p> <p>13 "aaa accounting dot1x."</p> <p>14 Is that true?</p> <p>15 A. That is the title of this page, yes.</p> <p>16 Q. Okay. And that's the title of this page</p> <p>17 for the "aaa accounting dot1x" command; is that</p> <p>18 true?</p> <p>19 A. No.</p> <p>20 Q. Okay. Let's look at the command syntax.</p> <p>21 "aaa accounting dot1x" is part of the</p> <p>22 command syntax for the command identified on</p> <p>23 Page 206, correct?</p> <p>24 A. For which command identified on Page 206?</p> <p>25 There's more than one.</p>	<p style="text-align: right;">Page 104</p> <p>1 THE WITNESS: I'm sorry, could you read</p> <p>2 your question one more time?</p> <p>3 BY MR. PAK:</p> <p>4 Q. Sure. Isn't it true, Mr. Sweeney, that</p> <p>5 each of the multiple word command phrases that</p> <p>6 appear in Exhibit 120 is part of the command syntax</p> <p>7 for CLI commands that are used in Arista CLI?</p> <p>8 MR. FERRALL: Same objection.</p> <p>9 THE WITNESS: Well, let's continue our</p> <p>10 merry adventure.</p> <p>11 (Reading.)</p> <p>12 THE WITNESS: Well, according to this</p> <p>13 document, no.</p> <p>14 BY MR. PAK:</p> <p>15 Q. Okay. Can you show me which page you're</p> <p>16 looking at?</p> <p>17 A. I'm looking at Page 1514.</p> <p>18 Q. Okay. 1513. Page 1513, are you looking</p> <p>19 at the --</p> <p>20 A. 14. What claims to be the documentation</p> <p>21 for the "address family" command.</p> <p>22 Q. Okay. And why do you believe that the --</p> <p>23 (Off-the-record discussion regarding the</p> <p>24 microphone.)</p> <p>25 ///</p>
<p style="text-align: right;">Page 103</p> <p>1 Q. Sure. The first command identified on</p> <p>2 Page 206.</p> <p>3 A. Sorry, do you want to -- like say your</p> <p>4 question, again.</p> <p>5 Q. Sure. The words "aaa accounting dot1x" is</p> <p>6 part of the command syntax for the first command</p> <p>7 that is described in Exhibit 119 on Page 206,</p> <p>8 correct?</p> <p>9 A. Yes, it is a prefix of that command, yes.</p> <p>10 Q. Okay. And that command description,</p> <p>11 "aaa accounting dot1x," also appears at the very top</p> <p>12 page of 206; is that true?</p> <p>13 A. It does.</p> <p>14 Q. Okay. So what I'm going to ask you to do</p> <p>15 is confirm for me that -- let me ask it -- let me</p> <p>16 ask you a question.</p> <p>17 Isn't it true, Mr. Sweeney, that each of</p> <p>18 the multiple word command phrases that appear in</p> <p>19 Exhibit 120 is part of the command syntax for CLI</p> <p>20 commands that are used in Arista CLI?</p> <p>21 And please take the time as necessary to</p> <p>22 confirm that and also check with Exhibit 119 as</p> <p>23 necessary.</p> <p>24 MR. FERRALL: Objection. Lacks</p> <p>25 foundation. And vague and ambiguous. And compound.</p>	<p style="text-align: right;">Page 105</p> <p>1 BY MR. PAK:</p> <p>2 Q. And why is it that you believe</p> <p>3 "address-family" is not part of the command syntax</p> <p>4 for this command?</p> <p>5 A. Well, when I read the command syntax</p> <p>6 section, there's no mention of it.</p> <p>7 Q. Are you familiar with this command?</p> <p>8 A. I'm not sure.</p> <p>9 Q. For example, can you look at the example</p> <p>10 at the bottom, can you read into the record the</p> <p>11 second example command -- the second example of the</p> <p>12 command that's entered in the Arista CLI?</p> <p>13 A. There it shows a command:</p> <p>14 "address-family ipv6."</p> <p>15 Q. So if, in fact, that turns out to be the</p> <p>16 command syntax for "address-family" command of the</p> <p>17 Arista CLI, "address-family" would be part of the</p> <p>18 command syntax, correct?</p> <p>19 MR. FERRALL: Objection. Calls for a</p> <p>20 hypothetical.</p> <p>21 THE WITNESS: If that were true, then it</p> <p>22 would be a subset, a prefix of a command; that's</p> <p>23 true. The question you asked concerned the command</p> <p>24 syntax section of the document --</p> <p>25 ///</p>

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<p style="text-align: right;">Page 106</p> <p>1 BY MR. PAK:</p> <p>2 Q. No, that's not my question.</p> <p>3 So can you please keep this question in</p> <p>4 mind.</p> <p>5 So my question is: Isn't it true,</p> <p>6 Mr. Sweeney, that each of the multiple word command</p> <p>7 phrases that appear in Exhibit 120 is part of the</p> <p>8 command syntax for CLI commands that are used in</p> <p>9 Arista CLI?</p> <p>10 A. Well, exactly. And this is the section of</p> <p>11 this document you're asking me to check this with.</p> <p>12 And in the command syntax portion of -- of the</p> <p>13 section it doesn't list this.</p> <p>14 Q. So my question, just to be clear, my</p> <p>15 question isn't asking you about the descriptions of</p> <p>16 the manual. I would like to give you the</p> <p>17 opportunity to check the manual, if necessary.</p> <p>18 But what I'm asking you about is these</p> <p>19 command syntax for CLI commands that are actually</p> <p>20 used in the Arista CLI.</p> <p>21 So let's go back and let me ask the</p> <p>22 question again.</p> <p>23 Isn't it true, Mr. Sweeney, that each of</p> <p>24 the multiple word command phrases that appear in</p> <p>25 Exhibit 120 is part of the command syntax for the</p>	<p style="text-align: right;">Page 108</p> <p>1 upon this document, no.</p> <p>2 BY MR. PAK:</p> <p>3 Q. Okay. And so you don't -- sitting here</p> <p>4 today, you don't know this particular command syntax</p> <p>5 for all the commands that are identified here in</p> <p>6 Arista CLI, sitting here today?</p> <p>7 A. How many entries are in this list?</p> <p>8 Q. There's over 500.</p> <p>9 A. No.</p> <p>10 Q. Okay. And so the one command that you</p> <p>11 identified so far where you saw a discrepancy in the</p> <p>12 documentation is address family -- "address-family"</p> <p>13 on Page 1514.</p> <p>14 Do you see that?</p> <p>15 A. I do.</p> <p>16 MR. FERRALL: Objection. Mischaracterizes</p> <p>17 the testimony.</p> <p>18 BY MR. PAK:</p> <p>19 Q. Mr. Sweeney, you would acknowledge that on</p> <p>20 the same manual description, under "Example," there</p> <p>21 is a command syntax "sharp address-family ipv6."</p> <p>22 Do you see that?</p> <p>23 A. I do.</p> <p>24 Q. Okay. You're not -- you don't -- you're</p> <p>25 not certain, sitting here today, whether</p>
<p style="text-align: right;">Page 107</p> <p>1 CLI commands that are used in Arista CLI?</p> <p>2 Please proceed.</p> <p>3 THE WITNESS: So you want me to do --</p> <p>4 MR. FERRALL: Well, wait -- wait just a</p> <p>5 second.</p> <p>6 I mean, if you -- if you want him to just</p> <p>7 ask -- answer the question based upon his knowledge,</p> <p>8 he can do that. If you want him to take the time to</p> <p>9 compare to the documents you put in front of him, he</p> <p>10 can do that too. But which is it?</p> <p>11 BY MR. PAK:</p> <p>12 Q. Well, first of all, I'm asking you your</p> <p>13 knowledge, so -- and you -- free to consult the</p> <p>14 manual, if necessary.</p> <p>15 But I'm asking you: Isn't it true,</p> <p>16 Mr. Sweeney, that each of the multiple word command</p> <p>17 phrases that appear in Exhibit 120 is part of the</p> <p>18 command syntax for CLI commands that are used in</p> <p>19 Arista CLI?</p> <p>20 MR. FERRALL: Based upon your knowledge,</p> <p>21 you can answer the question.</p> <p>22 It's vague and ambiguous and compound.</p> <p>23 But you can answer.</p> <p>24 THE WITNESS: Based on my knowledge, I</p> <p>25 don't know. It's a very, very long list. Based</p>	<p style="text-align: right;">Page 109</p> <p>1 "address-family ipv6" is a valid command syntax for</p> <p>2 an Arista CLI command?</p> <p>3 A. I am not certain.</p> <p>4 Q. Okay. You can't dispute that, sitting</p> <p>5 here today, correct?</p> <p>6 A. I'm sorry?</p> <p>7 Q. You don't have any knowledge one way or</p> <p>8 the other on that topic, correct?</p> <p>9 A. Of -- sorry, can we just be more specific?</p> <p>10 Q. Sure. You're not disputing technically</p> <p>11 that Arista's CLI actually does have a command</p> <p>12 syntax "address-family ipv6" as described in this</p> <p>13 manual?</p> <p>14 A. I am neither confirming it or disputing</p> <p>15 it. I'm telling you I don't know. And the</p> <p>16 reference I have is, at most, ambiguous.</p> <p>17 Q. Okay. So let's proceed.</p> <p>18 So what I'd like you to do is proceed with</p> <p>19 your comparison of the command syntax that is</p> <p>20 identified for each of the CLI commands that are on</p> <p>21 Exhibit 120 and please confirm for me that,</p> <p>22 according to the documentation in Exhibit 119, that</p> <p>23 these commands are part of the command syntax for</p> <p>24 Arista CLI commands.</p> <p>25 And to the extent that you see</p>

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110 to 113

<p style="text-align: right;">Page 110</p> <p>1 discrepancies or exceptions, please note those on</p> <p>2 the record. So go ahead.</p> <p>3 MR. FERRALL: Do you understand the</p> <p>4 question?</p> <p>5 THE WITNESS: I think so.</p> <p>6 MR. FERRALL: Okay.</p> <p>7 BY MR. PAK:</p> <p>8 Q. Please proceed.</p> <p>9 MR. FERRALL: For the record, I'll object</p> <p>10 as compound and vague and ambiguous.</p> <p>11 You can go ahead.</p> <p>12 THE WITNESS: I'm sorry, can you read back</p> <p>13 your question one more time?</p> <p>14 MR. PAK: Sure.</p> <p>15 Q. Please proceed with your comparison of the</p> <p>16 multiple words for the commands that are identified</p> <p>17 for each of the CLI commands in Exhibit 120 and</p> <p>18 confirm for me that, according to the documentation</p> <p>19 in Exhibit 119, these multiple command words are</p> <p>20 part of the command syntax for Arista CLI commands.</p> <p>21 A. So in your words, would they be a part if</p> <p>22 they're not contiguous, if other words come in</p> <p>23 between them?</p> <p>24 Q. What I mean "part" is that they appear at</p> <p>25 least in the command syntax.</p>	<p style="text-align: right;">Page 112</p> <p>1 THE WITNESS: Okay. There's also a</p> <p>2 discrepancy with the other version of the "area</p> <p>3 default-cost" command, which appears on Page 10477,</p> <p>4 Bates 17447. It also includes a number or IP</p> <p>5 address-looking value in between the area and the</p> <p>6 "default-cost" words.</p> <p>7 BY MR. PAK:</p> <p>8 Q. Are you familiar with the Cisco command</p> <p>9 syntax for that command?</p> <p>10 A. From memory, no.</p> <p>11 Q. Okay. Let me -- let me do it this way</p> <p>12 because it's clear to me that for many of these</p> <p>13 commands you just don't know personally, sitting</p> <p>14 here today, what the command syntax is; is that</p> <p>15 true?</p> <p>16 A. There are many of them where I will not be</p> <p>17 positive that I know their exact syntax, no.</p> <p>18 Q. And even if you read the manual, sitting</p> <p>19 here today, without actually checking the actual</p> <p>20 command interface, you're not sure whether the</p> <p>21 manual is accurately describing the command syntax</p> <p>22 in its entirety?</p> <p>23 A. It's a very large manual. It's hard to</p> <p>24 know exactly when everything is correct, yes.</p> <p>25 Q. Okay. So why don't I skip this exercise</p>
<p style="text-align: right;">Page 111</p> <p>1 So whatever you think is a discrepancy,</p> <p>2 you should just note it on the record.</p> <p>3 A. Okay. Well, for example, there's the</p> <p>4 "area default-cost" command, looking at the OSPFv2</p> <p>5 version.</p> <p>6 Q. Okay. And what page is that?</p> <p>7 A. That's on Page 1360, Page 17360.</p> <p>8 Q. Okay. Go ahead.</p> <p>9 A. What we can see here in the command syntax</p> <p>10 description is that there's always another word in</p> <p>11 between "area" and "default-cost."</p> <p>12 Q. And what is that word?</p> <p>13 A. Well, let's see, it's a number between 0</p> <p>14 and 2 to the 32.</p> <p>15 Q. Okay.</p> <p>16 A. Every third minus one.</p> <p>17 Q. All right. So go ahead and please proceed</p> <p>18 with your review.</p> <p>19 A. Okay. So we have the --</p> <p>20 MR. FERRALL: Let me --</p> <p>21 THE WITNESS: I'm sorry.</p> <p>22 MR. FERRALL: I should have clarified that</p> <p>23 there's a foundation objection to this, too, given</p> <p>24 the way this question was phrased and your answer.</p> <p>25 Go ahead.</p>	<p style="text-align: right;">Page 113</p> <p>1 for now.</p> <p>2 You are -- is command definition of the</p> <p>3 CLI commands part of your job responsibility as the</p> <p>4 software VP of engineering?</p> <p>5 MR. FERRALL: Objection. Vague and</p> <p>6 ambiguous.</p> <p>7 THE WITNESS: I'm sorry, could you say</p> <p>8 that again?</p> <p>9 BY MR. PAK:</p> <p>10 Q. Sure. As the VP of software engineering</p> <p>11 at Arista, is the definition of CLI command syntax</p> <p>12 part of your job responsibility?</p> <p>13 A. It's certainly not a part of my job as a</p> <p>14 VP of software engineering, no.</p> <p>15 Q. Okay. Are you involved, as the VP of</p> <p>16 software engineering, in defining the command syntax</p> <p>17 for the Arista CLI?</p> <p>18 A. As the VP of software engineering, no.</p> <p>19 Q. Okay. As an employee of Arista, are you</p> <p>20 involved in defining the command syntax for the</p> <p>21 Arista CLI?</p> <p>22 A. I play a role in reviewing the CLI syntax</p> <p>23 proposed by others, generally.</p> <p>24 Q. Okay. It's not a coincidence, sir, that</p> <p>25 there is a significant overlap in the command syntax</p>


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322 to 325

<p style="text-align: right;">Page 322</p> <p>1 ARISTANDCA10384101. It's an e-mail that you sent on</p> <p>2 September 11th, 2013, to Bill Fenner and copied the</p> <p>3 CLI Review mailing list that we talked about before</p> <p>4 and the BGP mailing list.</p> <p>5 Do you see that?</p> <p>6 A. I do.</p> <p>7 Q. Do you have any reason to dispute that you</p> <p>8 sent this e-mail?</p> <p>9 A. I do not.</p> <p>10 Q. And can you read just your statement at</p> <p>11 the top there?</p> <p>12 A. It states:</p> <p>13 "Given that we are just reusing the IOS</p> <p>14 syntax for this command, it seems fine."</p> <p>15 Q. And that's a true statement, right, sir?</p> <p>16 A. It -- it's an opinion.</p> <p>17 Q. Let me put it this way: That was your</p> <p>18 opinion at the time you wrote this, correct?</p> <p>19 A. Looks like it.</p> <p>20 Q. And it's true that you did reuse the IOS</p> <p>21 CLI syntax for the BGP neighbor</p> <p>22 dont-capability-negotiate command; is that true?</p> <p>23 A. I don't know. We'd have to go look.</p> <p>24 Q. That's what you're representing here; is</p> <p>25 that true?</p>	<p style="text-align: right;">Page 324</p> <p>1 MR. PAK: Are you disagreeing that those</p> <p>2 documents were produced, sir.</p> <p>3 MR. FERRALL: I'm disagreeing that this</p> <p>4 deposition should be kept open.</p> <p>5 MR. PAK: Okay. Thank you.</p> <p>6 THE VIDEOGRAPHER: This is the end of</p> <p>7 DVD 4 and the end of today's deposition. Off the</p> <p>8 record. The time is 6:48 p.m.</p> <p>9 (Signature having not been waived, the</p> <p>10 Videotaped Deposition of Adam Sweeney,</p> <p>11 Volume I, was concluded at 6:48 p.m.)</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 323</p> <p>1 A. I'm sorry, what is what I'm representing</p> <p>2 here?</p> <p>3 Q. Given that -- what did you mean by:</p> <p>4 "Given that we're just reusing the IOS</p> <p>5 syntax for this command"?</p> <p>6 What did you mean by that statement?</p> <p>7 A. Oh, I mean that Bill was proposing to use</p> <p>8 the same syntax as an existing IOS command.</p> <p>9 Q. Okay. And that's the CLI syntax, correct?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And you said: "It seems fine."</p> <p>12 That's what you said in response to that</p> <p>13 proposal, right?</p> <p>14 A. I said: "It seems fine."</p> <p>15 Q. Thank you, Mr. Sweeney, for your patience.</p> <p>16 MR. PAK: I'll pass the witness.</p> <p>17 MR. FERRALL: No questions.</p> <p>18 MR. PAK: Okay. I'll -- before we close,</p> <p>19 I'll note that on the record Arista produced a</p> <p>20 number of documents this week from the files of</p> <p>21 Mr. Sweeney. Obviously, we didn't have a chance to</p> <p>22 review all of those documents. We're going to keep</p> <p>23 this deposition open to discuss those documents once</p> <p>24 we have a chance to review them.</p> <p>25 MR. FERRALL: I disagree.</p>	<p style="text-align: right;">Page 325</p> <p>1 DECLARATION UNDER PENALTY OF PERJURY</p> <p>2</p> <p>3 I, ADAM SWEENEY, do hereby certify under</p> <p>4 penalty of perjury that I have read the foregoing</p> <p>5 transcript of my deposition taken on</p> <p>6 January 29, 2016; that I have made such corrections</p> <p>7 as appear noted on the Deposition Errata Page,</p> <p>8 attached hereto, signed by me; that my testimony as</p> <p>9 contained herein, as corrected, is true and correct.</p> <p>10</p> <p>11 Dated this _____ day of _____,</p> <p>12 2016, at _____,</p> <p>13 California.</p> <p>14</p> <p>15</p> <p>16</p> <p>17 _____</p> <p>18 ADAM SWEENEY</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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326 to 328

<p style="text-align: center;">DEPOSITION ERRATA SHEET</p> <p style="text-align: right;">Page 326</p> <p>1</p> <p>2</p> <p>3 Page No. _____ Line No. _____</p> <p>4 Change: _____</p> <p>5 Reason for change: _____</p> <p>6 Page No. _____ Line No. _____</p> <p>7 Change: _____</p> <p>8 Reason for change: _____</p> <p>9 Page No. _____ Line No. _____</p> <p>10 Change: _____</p> <p>11 Reason for change: _____</p> <p>12 Page No. _____ Line No. _____</p> <p>13 Change: _____</p> <p>14 Reason for change: _____</p> <p>15 Page No. _____ Line No. _____</p> <p>16 Change: _____</p> <p>17 Reason for change: _____</p> <p>18 Page No. _____ Line No. _____</p> <p>19 Change: _____</p> <p>20 Reason for change: _____</p> <p>21 Page No. _____ Line No. _____</p> <p>22 Change: _____</p> <p>23 Reason for change: _____</p> <p>24</p> <p>25 _____ DATED _____</p> <p>ADAM SWEENEY</p>	<p style="text-align: right;">Page 328</p> <p>1 U.S. Legal Support</p> <p>44 Montgomery Street, Suite 550</p> <p>2 San Francisco, California 94104</p> <p>(888) 575-3376</p> <p>3</p> <p>4 TO: ADAM SWEENEY</p> <p>5 C/O: BRIAN L. FERRALL</p> <p>KEKER & VAN NEST, LLP</p> <p>6 633 Battery Street</p> <p>San Francisco, California 94111</p> <p>7</p> <p>8 Re: Cisco Systems, Inc. v. Arista Networks, Inc.</p> <p>9 Date of Videotaped Deposition: January 29, 2016</p> <p>10 Dear Mr. Sweeney,</p> <p>11 The original transcript of your deposition</p> <p>taken in the above-referenced matter is available at</p> <p>12 this office for your review. If it is more</p> <p>convenient to read a copy of the transcript and</p> <p>13 waive signature of the original transcript, please</p> <p>notify our office by letter sent certified or</p> <p>14 registered mail of any changes made, with copies</p> <p>sent to all counsel.</p> <p>15 In the event you have not read, corrected and</p> <p>signed your deposition within thirty (30) days of</p> <p>16 receipt of this letter, it may be used with the full</p> <p>force and effect as though it had been read,</p> <p>17 corrected and signed.</p> <p>If you wish to arrange an appointment to review</p> <p>18 the original transcript, please contact this office</p> <p>at (888) 575-3376.</p> <p>19</p> <p>20 Sincerely,</p> <p>21 U.S. Legal Support</p> <p>Production Department</p> <p>22</p> <p>23 Cc: All counsel</p> <p>The deponent</p> <p>24</p> <p>25 Original: Original transcript</p>
<p style="text-align: right;">Page 327</p> <p>1 STATE OF CALIFORNIA)</p> <p>)</p> <p>2 COUNTY OF SAN FRANCISCO)</p> <p>3</p> <p>4 I, James Beasley, a Certified Shorthand</p> <p>5 Reporter, do hereby certify:</p> <p>6 That prior to being examined, the witness</p> <p>7 in the foregoing proceedings was by me duly sworn to</p> <p>8 testify to the truth, the whole truth, and nothing</p> <p>9 but the truth;</p> <p>10 That said proceedings were taken before me</p> <p>11 at the time and place therein set forth and were</p> <p>12 taken down by me in shorthand and thereafter</p> <p>13 transcribed into typewriting under my direction and</p> <p>14 supervision;</p> <p>15 I further certify that I am neither</p> <p>16 counsel for, nor related to, any party to said</p> <p>17 proceedings, not in anywise interested in the</p> <p>18 outcome thereof.</p> <p>19 In witness whereof, I have hereunto</p> <p>20 subscribed my name.</p> <p>21</p> <p>22 Dated: February 2, 2016</p> <p>23</p> <p>24 </p> <p>25 JAMES BEASLEY, CSR No. 12807, RPR</p>	